1988 Annual Report

To

The Honourable Lloyd G. MacPhail

Lieutenant-Governor

Province of Prince Edward Island

As Required By

The Criminal Code of Canada

Section 195

TO:

His Honour the Honourable Lloyd G. MacPhail
Lieutenant-Governor
Province of Prince Edward Island

May It Please Your Honour:

I have the honour to submit herewith the annual report as required under Section 195 of the Criminal Code of Canada.

Your obedient servant,

Wayne D. Cheverie, Q.C.
Minister of Justice and
Attorney General
Province of Prince Edward Island

February 7, 1989

THIS REPORT COVERS THE PERIOD OF JANUARY 1, 1988 TO DECEMBER 31, 1988

SECTION 195 C.C.

(a) The number of applications made for authorizations:

(i) 185 - 1

(ii) 188 - 0

(b) The number of applications made for renewals of authorizations:

(i) 185 - 0

(c) The number of applications granted:

(i) Original authorizations 185 - 1

(ii) Original authorizations 188 - 0

(iii) Renewals of authorizations 185 - 0

The number of authorizations refused under:

(i) 185 - 0

(ii) 188 - 0

The number of applications granted with terms and conditions under:

(i) 185 - 1

(ii) 188 - 0

(d) The number of persons identified in an authorization against whom proceedings were commenced at the instance of the Attorney General of P.E.I. in respect of:

(i) an offence specified in the authorization - 0

(ii) an offence other than an offence specified in the authorization but in respect of which an authorization may be given - 0

(iii) an offence in respect of which an authorization may not be given - 0

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(e) The number of persons not identified in an authorization against whom proceedings were commenced at the instance of the Attorney General of P.E.I. in respect of:

(i) an offence specified in such an authorization - 0

(ii) an offence other than an offence specified in such an authorization but in respect of which an authorization may be given - 0

(iii) an offence other than an offence specified in such an authorization for which no such authorization may be given - 0

And whose commission or alleged commission of the offence becomes known to a peace officer as a result of an interception of a private communication under an authorization.

(f) The average period for which authorizations were given and for which renewals thereof were granted:

(i) 185 - 56 days

(ii) 188 - 0

(g) The number of authorizations, by virtue of one or more renewals thereof, were valid:

(i) for more than 30 days - 1

(ii) for more than 60 days - 0

(iii) for more than 90 days - 0

(iv) for more than 180 days - 0

(h) The offences in respect of which authorizations were given, specifying the number of authorizations, given in respect of each such offence:

Statute	Section	Number of Authorizations
Criminal Code	235(1)	1

(i) A description of all classes of places specified in authorizations and the number of authorizations in which each such class of place was specified:

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	Classes of Places	Number of Authorizations
(i)	Residence - Permanent - Temporary	1
(ii)	Commercial Premises	
(iii)	Vehicles	
(iv)	Other	

(j) A general description of the methods of interception involved in each interception under an authorization:

(i) Telecommunications (telephone line)

(k) The number of persons arrested whose identity became known to a peace officer as a result of an interception under an authorization:

(i) Number of Persons - 0

(l) The number of criminal proceedings commenced at the instance of the Attorney General of P.E.I. in which private communications obtained by interception under an authorization were adduced in evidence and the number of such proceedings that resulted in a conviction:

(i) Nil

(m) The number of criminal investigations in which information obtained as a result of the interception of a private communication under an authorization was used although the private communication was not adduced in evidence in criminal proceedings commenced at the instance of the Attorney General of P.E.I. as a result of the investigations:

(i) Intercepted information used but not adduced. Matter still under investigation.

(n) The number of prosecutions commenced against officers or servants of Her Majesty in Right of Canada or members of the Canadian Forces for offences under Section 184 or Section 193:

(i) Number of prosecutions - 0

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General Assessment

This one telecommunications (telephone line) intercept lasted for a period of 35 days, commencing 88-09-02. It resulted from a murder investigation out of Gander, Nfld., in which this Division was assisting. The person who was subject of the authorization had been charged with the murder of his wife who had died on 88-08-15. He had been released on recognizance and took up residence in Miscouche, P.E.I.

The information gleaned from this intercept proved to be of little value to the investigator; it was terminated on 88-10-07.